

Monte J. White & Associates, P.C.

1106 Brook Ave  
Hamilton Place  
Wichita Falls TX 76301

Phone: (940) 723-0099  
Bar Number: 00785232

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE: §  
(H) **Juan Cesar Perez** § CASE NO:  
(W) §  
Debtor(s) §  
§

FOR CLERK'S USE ONLY

**DEBTOR'S PRELIMINARY CHAPTER 13 PLAN**

DATED: **3/4/2005**

<b>TRUSTEE'S NOTES:</b>				Date Case Filed	
				Type of Payment 1=Annual, 2=Semi-Annual 4=Quarterly, 12=Monthly	<b>12</b>
				First Payment Due	<b>4/18/2005</b>
H&W Monthly Take Home Pay	<b>\$2,066.13</b>	Periodic Payment Amount			<b>\$500.00</b>
Less Expenses	<b>\$1,566.13</b>	Number of Plan Payments			<b>60 months</b>
Equals Surplus	<b>\$500.00</b>	Equals Base Plan Amount			<b>\$30,000.00</b>
		Calculated Amount			<b>\$30,000.00</b>
Total Debtor Attorney Fees	<b>\$2,000.00</b>	Noticing Fees: # of Notices X 1 The Trustee shall be allowed to collect noticing fees from the first distribution to creditors.			<b>19</b>
Attorney Fees paid by Trustee (Gross amount paid including interest, if any)	<b>\$1,829.00</b>				
Total Filing Fees of <u>\$194.00</u> with	<b>\$0.00</b> paid by Trustee	Rate			<b>\$1.05</b>
		Total Noticing Fees			<b>\$19.95</b>

**HOME MORTGAGE:**

Regular mortgage payments on all liens to be paid "Direct" by Debtor beginning on **N/A**.  
Arrearages are to be paid by the Trustee as follows:

Lien Holder	Total Arrearage	Through MM/DD/YY	Interest Rate	Payment Term	# of Payments	Periodic Payment Amount
<b>(None)</b>						

**SECURED CREDITORS:**

Name	Description of Collateral	Scheduled Amount	Value of Collateral	Annual Int. Rate	Term	# of Pmts.	CD	Periodic Payment Amount
Americredit	2004 Toyota Camry	\$20,584.00	\$18,050.00	7.25%	1-52	52	1	\$406.58 Avg.

CD..... 0 = Direct or Surrender, 1 = Paid by Trustee (Any Deficiency will automatically be bifurcated or "split" and included in the unsecured class)

\* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

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**EXECUTORY CONTRACTS AND UNEXPIRED LEASES:**

Creditor Name	Description of Contract	Election	In Default
(None)			
			No

**PRIORITY CREDITORS:**

Name	Amount Disputed	Scheduled Amount	Annual Int. Rate	Term	# of Pmts.	Periodic Payment Amount
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**SPECIAL CLASS UNSECURED CREDITORS:**

Name	Basis for Classification	Scheduled Amount	Annual Int. Rate	Term	# of Pmts.	Periodic Payment Amount
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**GENERAL UNSECURED CREDITORS:**

The general unsecured creditors, listed below, will receive an estimated 6% of their claims, or a pro rata share of Total Payments (Base Plan Amount) shown above, after all of the above claims are paid in full.

Name	Note	Amount
Americredit	Deficiency	\$2,534.00
Ballys		\$969.00
Credit Management / Time Warner Cable		\$445.00
David F. Mobley, M.D.		\$224.00
Debt Recovery Solution / Sprint		\$171.00
Eye Surgeon's P.A.		\$99.00
First Premier Bank		\$331.00
Fleet Cc		\$4,846.00
Grdn/cbusa		\$1,645.00
IC System, Inc		\$938.00
IRS Special Procedures		\$43,546.00
IRS Special Procedures		\$11,700.00
Macys West/gecccc		\$612.00
Mitsubishi Motors Credit		\$1.00
Paul Subrt, MD		\$75.00
Pierce Hamilton & Ster (original Credito		\$575.00
Texas State Bank		\$3,224.00
Verizon		\$616.00

Total Unsecured Debt ---> **\$72,551.00**

The total of all unsecured debt, including deficiencies is **\$72,551.00** with **\$4,010.64** paid to the unsecured creditors.

\* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

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**COMPUTATION OF REQUIRED PLAN PAYMENTS:**

	Total Amounts	Total Payments with Interest (Gross amount to be disbursed)
Filing Fees	<b>\$0.00</b>	<b>\$0.00</b>
Noticing Fees	<b>\$19.95</b>	<b>\$19.95</b>
Debtor Attorney Fees	<b>\$1,829.00</b>	<b>\$1,829.00</b>
Home Mortgage Arrears	<b>\$0.00</b>	<b>\$0.00</b>
Secured Claims	<b>\$18,050.00</b>	<b>\$21,142.41</b>
Priority Claims	<b>\$0.00</b>	<b>\$0.00</b>
Special Class Unsecured Claims	<b>\$0.00</b>	<b>\$0.00</b>
General Unsecured Claims	<b>\$72,551.00</b>	<b>\$4,010.64</b>
<b>Totals</b>	<b>\$92,449.95</b>	<b>\$27,002.00</b>
With Zero to Unsecureds	<b>\$25,989.36</b>	Trustee Fees <b>\$2,998.01</b>
Base Plan Amount	<b>\$30,000.00</b>	<u>10</u> % of Total Payments (less filing & noticing fees)
Available for Unsecureds	<b>\$4,010.64</b>	Total Payments Total distribution + Trustee Fees + Filing & Notice Fees <b>\$30,000.01</b>
Unsecured Percentage Computed on Base Plan Amount	<b>6%</b>	Required Periodic Payment to Achieve Unsecured Percentage <b>\$500.00</b>

\* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

Computer software provided by LegalPRO Systems, Inc., San Antonio, Texas - (210) 561-5300.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a copy of the foregoing PRELIMINARY CHAPTER 13 PLAN was served upon the following parties of interest:

and all parties and creditors listed on the original mailing matrix and any amended mailing matrix.

DATED: 03/04/2005

/s/ Monte J White

Monte J White

**Monte J. White & Associates, P.C.**

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IN RE:

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CASE NO:

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**AUTHORIZATION FOR PRE-CONFIRMATION DISBURSEMENT DATED: 3/4/2005**

The undersigned Debtor(s) hereby request that payments received by the Trustee prior to confirmation be disbursed in accordance with Standing Order Number 93-1, as indicated below:

Periodic Payment Amount	<b>\$500.00</b>	
Disbursements	First (1)	Second (2) (Other)
Account Balance Reserve	\$5.00	\$0.00
Related Expense to Trustee	\$49.50	\$50.00
Filing Fees	\$0.00	\$0.00
Noticing Fees	\$19.95	\$0.00
<b>Subtotal Expenses/Fees</b>	<b>\$74.45</b>	<b>\$50.00</b>
Available for Adequate Protection, Attorney Fees and Undisputed Priority Claims from First and Second Disbursements:	<b>\$425.55</b>	<b>\$450.00</b>

**SECURED CREDITORS:**

Name	Collateral	Scheduled Amount	Value of Collateral	Adequate Protection Percentage	Adequate Protection Payment Amount
Americredit	2004 Toyota Camry	\$20,584.00	\$18,050.00	1.25%	\$225.62

Total Adequate Protection Payments for Secured Creditors: **\$225.62**

**PRIORITY CREDITORS:**

Name	Collateral	Scheduled Amount	Value of Collateral	Adequate Protection Percentage	Adequate Protection Payment Amount
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Total Adequate Protection Payments for Priority Creditors: **\$0.00**

**SPECIAL CLASS CREDITORS:**

Name	Collateral	Scheduled Amount	Value of Collateral	Adequate Protection Percentage	Adequate Protection Payment Amount
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Total Adequate Protection Payments for Special Class Creditors: **\$0.00**

(H) Juan Cesar Perez

AUTHORIZATION FOR PRE-CONFIRMATION DISBURSEMENT

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Total Adequate Protection Payments: **\$225.62**

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Funds Available For Debtor's Attorney First Disbursement: **\$199.93**Funds Available For Debtor's Attorney Future Disbursements: **\$224.38**Estimated Number of Months to Pay all Attorney Fees: **9**

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Available For Secured Creditors as Authorized Above After Debtor's Attorney Fees are Paid in Full: **\$450.00\*\***

ADEQUATE PROTECTION PAYMENTS TO SECURED CREDITORS WILL AUTOMATICALLY INCREASE TO PLAN PAYMENT AMOUNTS IF ATTORNEY'S FEES ARE PAID IN FULL OR \$1,500.00 IS PAID AND \$500.00 IS RESERVED PRIOR TO CONFIRMATION. ANY EXCESS FUNDS WILL BE PAID TO UNDISPUTED PRIORITY AND/OR SPECIAL CLASS UNSECURED CLAIMS.

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☐ PROPOSED, AUTHORIZED, REQUESTED AND ACKNOWLEDGED BY DEBTORS:☐ DEBTOR(S) DECLINE(S) AUTHORIZATION FOR PRE-CONFIRMATION DISBURSEMENT:DATED: 03/04/2005/s/ Monte J White

Attorney for Debtor(s)

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Trustee, Attorney for Trustee or Trustee's Representative